

This letter clarifies and replaces the Department's previous response regarding the inquiry about the "Tire Disposal Fees" provided in our General Information Letter dated April 13, 2006, ST-06-0036. (This is a GIL.)

January 25, 2013

Dear:

This letter is written to clarify the Department's General Information Letter, dated April 13, 2006, (ST06-0036, copy enclosed) we sent you pursuant to your dated July 21, 2005, in which you requested information.

It has come to our attention that you requested information regarding, among other issues, the taxability of "Tire Disposal Fees". Our response, however, addressed the "Illinois Tire User Fee", which has a similar tax treatment as the Tire Disposal Fee. As such, to clarify, in Illinois, tire disposal fees, like tire user fees, are costs incurred by a retailer as a cost of doing business and may not be deducted from its gross receipts. See, for example, 86 Ill. Adm. Code 130.410.

I hope this information is helpful and clarifies any confusion that may have arisen as a result of our previous response. If you require additional information, please visit our website at www.tax.illinois.gov or contact the Department's Taxpayer Information Division at (217) 782-3336.

Very truly yours,

Debra M. Boggess
Associate Counsel